

86th Legislative Session – 2011

Committee: Senate Judiciary

Tuesday, February 08, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
P Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Joni Cutler, Vice-Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 3, 2011

Moved by: Hunhoff (Jean)
Second by: Buhl
Action: Prevailed by voice vote.

Governor's Reappointment of Timothy A. Reisch to the position of Secretary of the Department of Corrections

Presented by: Dusty Johnson, Governor's Office
Tim Reisch, Department of Corrections (Handouts: #1, #2)

MOTION: CONFIRM REAPPOINTMENT OF TIMOTHY A. REISCH OF MINER COUNTY, HOWARD, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF CORRECTIONS

Moved by: Tieszen
Second by: Vehle

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

SB 159: increase the maximum allowable uniform charge relating to 911 emergency services.

Presented by: Senator Jim Bradford (Handouts: #3)

Proponents: Lorin Pankratz, SD County Commissioners

Responded to committee questions: Mike Houdyshell, Department of Public Safety

MOTION: DO PASS SB 159

Moved by: Begalka

Second by: Nygaard

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 159 TO THE 41ST LEGISLATIVE DAY

Moved by: Hunhoff (Jean)

Second by: Tieszen

Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Hunhoff (Jean), Vehle, Cutler, Tieszen

Voting No: Begalka, Nygaard, Buhl

SB 71: prohibit the use of certain handheld electronic wireless devices for electronic messaging while driving.

Presented by: Senator Craig Tieszen

Proponents: Loren Vaillancourt, self, Huron

Representative Jim Bolin

Bob Miller, Dakota Transit Association/Funeral Director's Association

Janean Christensen, self, Mitchell

Brittany Novotny, SD Nurses Association

Amanda Block, self, Midland

Pam Merchant, self, Brookings

Elliot Johnson, self, Brookings

Parker Merchant, self, Brookings

Joe Kavanagh, self, Brookings

James Johns, SD Police Chiefs' Association

Myron Rau, SD Trucking Association/SD Auto Dealer's Association
Dave Gerdes, SD State Medical Association
Paul Bachand, SD State's Attorneys Association
Mark Madeja, AAA South Dakota
Paul Goldammer, Alliance of Automobile Manufacturers
Janae Hansen, self, Turton
Doug Abraham, Property Casualty Insurance Association
Drew Duncan, SD Insurance Alliance
Dick Tieszen, State Farm Insurance
Mike Shaw, American Family Mutual Insurance Company
Opponents: Ryan Kolbeck, SD Association of Criminal Defense Lawyers

MOTION: DO PASS SB 71

Moved by: Nygaard
Second by: Vehle
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Voting No: Buhl

MOTION: DEFER SB 115 UNTIL ANOTHER DAY

Moved by: Nygaard
Second by: Begalka
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Vehle
Second by: Tieszen
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair